

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
THIRD DIVISION

C. Earl Grant,

Plaintiff,

v.

Gerald S. Golden and Inna Rozinski,
National Board of Medical Examiners,

Defendants.

**STIPULATION TO MODIFY
BRIEFING SCHEDULE
AND ORDER**

BACKGROUND TO STIPULATION

On March 22, 1999, pursuant to Rules 12(c) and 56 of the Federal Rules of Civil Procedure, defendants filed a motion to dismiss a number of the claims contained in plaintiff's Complaint. The hearing for this motion was scheduled for May 7, 1999. Plaintiff's response was due on April 28, 1999. After this motion was filed, plaintiff obtained legal representation. Plaintiff's counsel has represented that she intends to amend the Complaint and that this amendment may render moot some of the issues raised by defendants' motion. In addition, because counsel has been retained only recently, she has stated that she would be unable to respond to defendants' motion by April 28, 1999.

In the interest of conserving the Court's resources and in the spirit of cooperation, defendants have agreed to proceed with to a schedule with respect to service and filing of the amendment of the Complaint and the briefing schedule for defendants' motion.

1801775

FILED 5-7-99
FRANCIS E. DOSAL, CLERK
JUDGMENT ENTD _____
DEPUTY CLERK _____

STIPULATION

1. Plaintiff shall deliver to defendants' counsel his Amended Complaint on or before May 5, 1999.
2. If Plaintiff's Amended Complaint is delivered to defendants' counsel on or before May 5, 1999:
 - a. Defendants shall notify plaintiff's counsel on or before May 12, 1999, as to whether they intend to proceed with their present motion.
 - b. If defendants decide to proceed with their present motion, plaintiff's response to that motion shall be delivered to defendants' counsel or before May 28, 1999, and defendants' reply brief shall be delivered to plaintiff's counsel on or before June 8, 1999.
 - c. Thereafter, defendants' counsel shall file both plaintiff's and defendants' submission with the Court and obtain a date for the hearing.
2. If plaintiff's Amended Complaint is not delivered to defendants' counsel on or before May 5, 1999, defendants' motion shall proceed according to the following schedule:
 - a. Plaintiff's response to that motion shall be delivered to defendants' counsel on or before May 21, 1999.
 - b. Defendants' reply brief shall be delivered to plaintiff's counsel on or before May 28, 1999.
 - c. Thereafter, defendants' counsel shall file both plaintiff's and defendants' submission with the Court and obtain a date for the hearing.

Dated:

5/6/99

Jamie S. Mayeron
Jamie S. Mayeron (# 69152)

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ATTORNEYS FOR DEFENDANTS
GERALD S. GOLDEN, INNA
ROZINSKI, AND NATIONAL BOARD
OF MEDICAL EXAMINERS

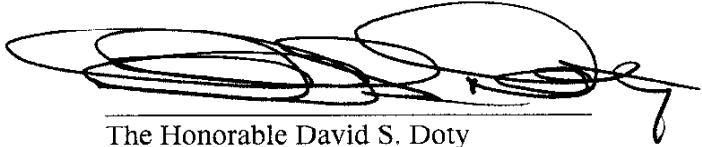
Dated: May 6, 1999

Lateesa T. Ward
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ATTORNEYS FOR PLAINTIFF

ORDER

IT IS SO ORDERED.


The Honorable David S. Doty
Judge, District of Minnesota

Dated:

May 7, 1999